



16711/NAV SAFETY

June 1, 2000

D8(m) Policy Ltr 16-2000

From: Commander, Eighth Coast Guard District

To: Distribution

Subj: REED'S NAUTICAL ALMANAC & REED'S NAUTICAL COMPANION

Ref: (a) 46 CFR 28.225
(b) 33 CFR 164.72
(c) 46 CFR 28.210

1. In accordance with enclosure (1), the Eighth Coast Guard District will no longer accept Reed's Nautical Almanac or Reed's Nautical companion as satisfying the general publication requirements outlined in references (a) and (b). However, there are some exceptions that may allow acceptance of both publications as equivalents to the National Ocean Service (NOS) tide tables and tidal current tables and also the Inland Navigation Rules contained in 33 CFR. We will make a determination of whether or not the Reed publications meet these equivalency requirements.
2. The Reed publications will continue to be accepted *as meeting the general publication requirements* within the Eighth Coast Guard District throughout a grace period extending through December 31, 2000. In the interim, boarding officers and Commercial Fishing Vessel Examiners shall be proactive in disseminating information about this Coast Guard position change to fishermen. After the grace period expires, Reed publications will not be accepted as equivalents to the U.S. Coast Pilot and Coast Guard Light List. Enforcement posture should include warnings prior to any civil penalty action.
3. Reference (c) is not affected by this change in Coast Guard position.
4. Questions regarding this matter may be referred to CWO Renee Cruise at (504) 589-4554.

A handwritten signature in black ink, appearing to read "G. D. Marsh", written over a horizontal line.

G. D. MARSH

By direction

Encl: COMDT (G-MOC) letter dated March 27, 2000

Dist: All Eighth District MSOs, MSUs , MSDs, and Groups

Copy: COMDT (G-MOC)



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MAR 27 2000

From: Commandant (G-MO)
To: Distribution

Subj: ACCEPTANCE OF THOMAS REED'S NAUTICAL PUBLICATIONS FOR
COMMERCIAL FISHING VESSELS

1. Many Districts have provided letters to Thomas Reed Publications (Reed's) indicating that *Reed's Nautical Almanac*, together with *Reed's Nautical Companion*, satisfy five of the six navigational information carriage requirements found in Title 46, Code of Federal Regulations, Part 28.225 [46 CFR §28.225]. Several Districts have also provided letters to Reed's indicating that *Reed's Nautical Almanac*, together with *Reed's Nautical Companion*, satisfy the general publications carriage requirements contained in 33 CFR §164.72 for towing vessels. Prostar Publications Inc. (Prostar), a competitor of Reed's, lodged a formal complaint asserting that the "acceptance" letters issued by Districts to Reed's were illegal endorsements of a competitor's product and were unfairly detrimental to Prostar's economic success. As a result of Prostar's complaint, headquarters initiated a review of the fundamental definition of an acceptable "currently corrected extract" as permitted by the regulations and the appropriateness of "acceptance" letter issued by Districts to commercial enterprises.
2. Commandant (G-LMI) reviewed the matter and issued an opinion that the *Reed's Nautical Almanac*, together with *Reed's Nautical Companion* **DO NOT** satisfy the requirements for carriage of the *U.S. Coast Pilot* and *Coast Guard Light List*. G-LMI defined an acceptable "currently corrected extract" as "a verbatim extract of the geographically applicable sections" of required navigation publications. Annotated or abridged versions such as those published in the *Reed's Nautical Almanac*, together with *Reed's Nautical Companion* do not meet this definition and therefore are not permitted under 46 CFR §28.225. G-LMI concluded that the regulations would have to be amended before the Coast Guard could accept annotated or abridged versions of the required publications. There are no regulatory projects underway at this time to amend the existing regulations to address this issue.
3. G-LMI, also, determined that *Reed's Nautical Almanac*, together with *Reed's Nautical Companion* may satisfy the requirements found in 46 CFR §28.225 and 33 CFR §164.72 for both tide tables and tidal current tables, provided the information is obtained from the National Ocean Service (NOS) data. *Reed's Nautical Almanac*, together with *Reed's Nautical Companion* may meet the requirements in 46 CFR 28.225 for Inland Navigation Rules, provided they are verbatim copies of the rules found in 33 CFR, Chapter I, Subchapter E.
4. District (m) Officers should rescind all "acceptance" letters issued to Reed's prior to the date of this notice, which indicate that *Reed's Nautical Almanac*, together with *Reed's Nautical Companion* satisfy the requirements for carriage of the *U.S. Coast Pilot* and *Coast Guard Light List*. Reed's may continue to be used to meet tide tables and tidal current tables provided its

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publications continue to draw its data from NOS as indicated above. Future "evaluation" letters to publishers of nautical publications should include the following factual comments:

- a. Identification of the edition of the publication that was reviewed,
- b. Conclusions as to what portions of the reviewed publication meet the "currently corrected extract" standard articulated in paragraph (2) and what portions do not,
- c. A statement that the Coast Guard does not endorse the product,
- d. A two year expiration date, after which a reevaluation will be necessary,
- e. A requirement that the Coast Guard be notified of substantive changes to the reviewed edition, and
- f. A statement indicating that publication of future editions or substantive changes to previously reviewed editions will invalidate any "evaluation" letter determinations.

Any policy guidance and evaluation results of publications submitted for review should be disseminated to Commercial Fishing Vessel field examiners and Law Enforcement boarding officers.

5. Districts should be mindful that the appearance of Coast Guard favoritism for one commercial vendor over another should be avoided. Products submitted by Reed's as well as its competitors, such as Prostar, should be evaluated against the above standards for "currently corrected extract" on an equal basis. Also, it is recommended that Districts inform fishermen of this change in the Coast Guard's position regarding *Reed's Nautical Almanac*, and *Reed's Nautical Companion* suitability as acceptable extracts for the carriage requirements of the *U.S. Coast Pilot* and *Coast Guard Light List*. A reasonable grace period for meeting the regulatory requirements should be established for mariners who now carry copies of *Reed's Nautical Almanac*, and *Reed's Nautical Companion* to meet the carriage requirements. Letters, indicating the results of the District's evaluation may be provided to vendors, however, the letters should avoid phraseology such as "accepted", "approved" or "endorsed".

6. Districts may forward materials submitted by publishers that are not addressed by this notice or deemed to have national implications to Commandant (G-MOC) for evaluations. Please direct any questions regarding this matter to LCDR Christopher E. Roberts of G-MOC at (202) 267-0505.



T. H. GILMOUR
Captain, U.S. Coast Guard
Director of Field Activities

Dist: All District "M" Officers